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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA

9 Plaintiff,

10 v.

11 JOSE L. NINO DE GUZMAN JR.,

12 Defendant.

Case No. CR11-245-RSL

DETENTION ORDER

13 Offense charged:

14 Wire Fraud and Money Laundering.

15 Date of Detention Hearing: August 2, 2011.

16 The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f),
17 and based upon the factual findings and statement of reasons for detention hereafter set forth,
18 finds that no condition or combination of conditions which the defendant can meet will
19 reasonably assure the appearance of the defendant as required and the safety of any other person
20 and the community.

21 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

22 The government proffered evidence that established defendant poses a serious risk of
23 flight and also poses an economic danger to the community. First, defendant has engaged in

1 egregious and serious fraudulent conduct and has stolen millions of dollars from over a hundred
2 investors. His modus operandi according to the government is theft through elaborate lies and
3 misrepresentations. Second, the defendant appears to be continuing with his criminal conduct by
4 creating new companies to commit fraud or associating with the new companies engaged in such
5 conduct. Third, defendant has unexplained sources of income. About \$70,000 was funneled
6 from some of the new companies defendant is associated with through a bank account set up by
7 defendant's father over a six month period. The government also indicated he has spent about
8 \$9,000 over a six month period at clubs, hotels and for alcoholic drinks. Fourth defendant sent
9 six million dollars to Peru and has set up an account in that country. The government indicates
10 two million dollars are unaccounted for. Fifth, defendant has been able to evade law
11 enforcement for a significant period of time. He has done this by using bank accounts created by
12 his father, and using credit cards of other individuals.

13 It is therefore **ORDERED**:

14 (1) Defendant shall be detained pending trial and committed to the custody of the
15 Attorney General for confinement in a correctional facility separate, to the extent practicable,
16 from persons awaiting or serving sentences, or being held in custody pending appeal;

17 (2) Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;

19 (3) On order of a court of the United States or on request of an attorney for the
20 Government, the person in charge of the correctional facility in which Defendant is confined
21 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
22 connection with a court proceeding; and
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1 (4) The clerk shall direct copies of this order to counsel for the United States, to
2 counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services
3 Officer.

4 DATED this 2nd day of August, 2011.

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7 BRIAN A. TSUCHIDA
8 United States Magistrate Judge
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